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C O N F I D E N T I A L SECTION 01 OF 04 HARARE 000605

SIPDIS

AF/S FOR S. HILL  
ADDIS ABABA FOR USAU  
ADDIS ABABA FOR ACSS  
STATE PASS TO USAID FOR E. LOKEN AND L. DOBBINS  
STATE PASS TO NSC FOR SENIOR AFRICA DIRECTOR B. PITTMAN

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TAGS: PGOV PREL ASEC PHUM ZI  
SUBJECT: STATE OF PLAY: AWAITING NEGOTIATIONS

Classified By: Charge d'Affaires Katherine Dhanani for reason 1.4 (d)

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SUMMARY  
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11. (C) The Zimbabwean political scene is quieter than it has been for some time. Despite denials by MDC leaders of current negotiations, preliminary talks are taking place this week in South Africa. Harare awaits the arrival of Jean Ping, Chairman of the African Union (AU) Commission, and Jakaya Kikwete, head of the African Union and president of Tanzania, who are expected to discuss an AU role alongside SADC in negotiations between the two Zimbabwean parties. Both sides are interested in a negotiated settlement, but on their own terms; this may make an eventual agreement difficult to achieve. Violence and intimidation continue, although at an apparently lower level, at least in urban areas, than before the June 27 election. ZANU-PF's goal is to assert its authority and weaken the MDC, both for negotiations and in the new Parliament. Parliament will be convened next week with the MDC expected to elect the Speaker of the House of Assembly if a sufficient number of its members attend. END SUMMARY.

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Talking About Talks  
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12. (C) Despite contradictory statements from MDC leadership, the SADC mediation process is in fact continuing. Mbeki mediators Sydney Mufamadi and Mujanku Gumbi are meeting with MDC Tsvangirai (MDC-T) negotiators Tendai Biti and Elton Mangoma, MDC Mutambara (MDC-M) negotiators Welshman Ncube and Priscilla Misihairabwi-Mushonga, and ZANU-PF negotiators Patrick Chinamasa and Nicholas Goche this week in South Africa. These discussions were to have begun last week, but Biti's passport had not yet been returned, and Mangoma wanted assurances that the GOZ would remove him from an arrest list. Yesterday a judge (apparently with the GOZ's acquiescence) ordered Biti's passport returned and Mangoma received his requested assurances. We understand that the South African

talks will attempt to set an agenda and possibly agreement on a memorandum of understanding for full-fledged negotiations. The MDC will seek an agreement that the GOZ desist from the arrest and prosecution of MDC parliamentarians so that all MDC parliamentarians can participate in the opening of Parliament.

¶3. (C) Tsvangirai stands by his insistence that the MDC will not participate in further full-fledged negotiations unless the AU has a role in the mediation process. We understand Kikwete and Ping were due to go directly from the G-8 Summit in Tokyo to Harare, but Ping became ill and the trip was delayed until later this week or the beginning of next week. In addition to an AU role, the MDC has publicly insisted on, as a prerequisite to negotiations, immediate cessation of violence and intimidation, release of over 1500 MDC detainees, and resumption of humanitarian assistance (presumably lifting the NGO ban). Seeking to exploit inconsistency and promote an image of MDC division, the main headline in today's The Herald trumpeted "Inter-party talks resume," and the accompanying article noted the apparent contradiction with Tsvangirai's public statements that there were no ongoing talks.

¶4. (C) In another apparent contradiction to his insistence that there would be no negotiations absent fulfillment of the MDC's conditions, Tsvangirai has for some time been seeking a meeting with Mugabe as part of the SADC negotiation process. Tsvangirai's goal, however, has more to do with establishing his equal status as a leader than with actual negotiations.

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Last Saturday, Mbeki flew to Harare and he and the GOZ invited Tsvangirai to a meeting at State House with Mugabe, as well as with Mutambara, Ncube, and Misihairabwi-Mushonga. Tsvangirai perceived this as a staged photo opportunity to demonstrate Mugabe's purported openness to dialogue, and Mbeki's success as mediator, on the eve of the G8 Summit, in bringing the parties together. He was also concerned that meeting Mugabe in State House would confer MDC recognition of Mugabe as president, something Tsvangirai has taken pains to avoid. He therefore declined to attend. (Comment: Tsvangirai was undoubtedly correct in his decision. What emerged from the meeting, much to the consternation of MDC-M supporters, was nothing of substance but a picture of a smiling Mutambara shaking hands with Mugabe. End comment.)

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What Prospect for Success?  
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¶5. (C) Given Zimbabwe's recent history and the fact that after 15 months of SADC-sponsored negotiation the parties are still working to set an agenda and resume negotiations, there is ample room for skepticism that negotiations will bear fruit. Favoring optimism, each side has objectively good reason to vigorously pursue a successful settlement. ZANU-PF craves legitimacy and reengagement with the West in order to regain political and economic stability. The MDC, having had a presidential victory stolen and having witnessed ZANU-PF's vengeance after the March 29 election, realizes that it cannot gain power electorally, but must do so through a political process. However, it is not clear that either side is ready to compromise on the critical issues. ZANU-PF wants a government of national unity, which would be a continuation of the current government, but with some MDC ministers. ZANU-PF would maintain the power. The MDC wants a transitional government, limited temporally and in terms of powers, that would be supplanted by a new government elected under a new constitution. Tsvangirai has indicated that he would be willing to accept Mugabe as a ceremonial president in a transitional government, but he believes (rightly) that he won the election and therefore should wield the power. The mediators will seek to bridge this divide.

¶6. (C) The mediation faces an uphill battle convincing the

parties to yield. ZANU-PF's leverage is that it holds de facto power and continues to hold Zimbabwe in a vise of violence and fear which continues to affect people throughout the country. It has the power to relax this vise, and will use this as a negotiating point. The MDC on the other hand can simply break off negotiations, if it is unsatisfied, and allow ZANU-PF to continue to run on its own what is becoming an increasingly ungovernable country, particularly economically.

¶7. (C) Some analysts believe the Mugabe team's strategy is to use internationally supervised negotiations as a delaying tactic while violence and division destroy the MDC as a future factor in Zimbabwe's political life. These skeptics believe Mugabe and his inner circle are seeking to repeat their success against Nkomo and ZAPU following the Gukurahundi massacres. They may well be right. But it is important to remember that ZANU-PF is not monolithic. We have heard that General Solomon Mujuru and vice-president Joice Mujuru would support the so called Mbeki plan, a transitional government originally proposed by Tsvangirai, which would make Mugabe a ceremonial president, establish Tsvangirai as an executive prime minister, and leave Joice Mujuru as the only vice-president. From the Mujuru's point of view, this would sideline Mnangagwa and allow the Mujurus to consolidate power within ZANU-PF and spearhead ZANU-PF in elections after the transition. Mujuru still wields influence over the military and top generals and could

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attempt to secure guarantees for their futures. (NOTE: ZANU-PF held a Politburo meeting on July 9 and agreed to refer the Mbeki plan to the Presidium--Mugabe, Joice Mujuru, vice-president Joseph Msika, and former House Speaker John Nkomo. The Presidium will then make its recommendation to the Politburo. END NOTE.)

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Violence Continues  
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¶8. (SBU) Post will report on continuing violence Septel. There are indications that violence is increasingly targeting individual MDC activists and prominent supporters rather than whole communities. While there are some reports of efforts by the authorities to rein in the youth militia they unleashed in April, the effort is not equally evident in all areas or successful in every case. In rural areas, particularly in the Mashonaland provinces, many of the "reeducation camps" remain. In addition, we have received reports of whole communities terrorized in Gokwe in Mashonaland West and Mudzi in Mashonaland East.

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The MDC and Parliament  
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¶9. (SBU) As a result of the March 29 elections and three by-elections for vacant parliamentary seats on June 27, the composition of the House of Assembly is as follows:

--MDC-T 100  
--MDC-M 10  
--ZANU-PF 99  
--Ind. 1 (This is Jonathan Moyo. He is expected to align with the MDC.)

¶10. (SBU) By law, Parliament must be called into session by July 17. Assuming the MDC factions work as a coalition, the MDC will, in theory, have a majority and will be able to elect the Speaker. This is a powerful position; the Speaker controls the business of the House. Additionally, the House of Assembly formulates the budget and is responsible for originating legislation. An MDC majority in the House of Assembly could frustrate ZANU-PF and Mugabe legislatively.

¶11. (C) Not coincidentally, MDC parliamentarians have been

ZANU-PF targets. According to the MDC, two have been killed, one has disappeared, several others are in custody, and six or seven are in South African avoiding arrest. Others are underground in Zimbabwe. There has also been violence directed against MDC MPs' families.

¶12. (C) Whether or not ZANU-PF has a longer term strategy to emasculate the MDC, there is every reason to believe the ruling party is attempting to ensure that when Parliament is convened, ZANU MPs present on the floor outnumber their opponents, thereby allowing it to elect the Speaker. The MDC (MDC-T plus MDC-M) is cautiously optimistic it will have a majority in the House of Assembly when it is convened next week, although there are concerns that more arrests of MDC parliamentarians will occur immediately before Parliament convenes. (NOTE: The other parliamentary body, the Senate, is far less important than the House of Assembly. In the March 27 election, MDC-T won 24 seats, MDC-M won 6 votes, and ZANU-PF won 30. There are a remaining 33 seats apportioned as follows: 18 to Chiefs, 10 to provincial governors, and 5 appointed by the president. Since cabinet ministers must be members of Parliament, Mugabe can use his five appointments for ZANU-PF heavyweights, such as Patrick Chinimasa and Oppah Muchinguri, who lost their parliamentary seats in the March 27 elections, and reappoint them as ministers. END NOTE.)

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The MDC Alliance  
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¶13. (C) Crucial to an MDC majority in the House of Assembly is a continuation of the agreement reached between the two MDC factions before the June 27 election to work together as an alliance. ZANU-PF has made overtures to MDC-M, but MDC-M parliamentarians, despite disenchantment with MDC-T over what they see as MDC-T arrogance and failure to adequately consult with them, have so far indicated to us that they will work with MDC-T as an alliance. (NOTE: Under Zimbabwean parliamentary rules, an individual legislator who crosses the aisle to another party automatically loses his or her seat. Therefore, all 10 MDC-M members of the House of Assembly must act in unison--either to form an alliance with ZANU-PF, to remain in an alliance with MDC-T, or to act independently. END NOTE.) To solidify this alliance, MDC-T is prepared to make Gibson Sibanda the Speaker. Sibanda is a former trade unionist who was Tsvangirai's vice-president in the Zimbabwe Congress of Trade Unions (ZCTU) and later became MDC vice president after the party was formed. In 2005, he joined Welshman Ncube and Arthur Mutambara in splitting away from the the MDC and forming a rival faction.

Dhanani